

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THERASENSE, INC.,)
)
Plaintiff(s),) No. C04-2123 MJJ (BZ)
)
v.) **DISCOVERY ORDER**
)
BECTON, DICKSON AND CO.,)
)
Defendant(s).)

THERASENSE, INC.)
)
Plaintiff(s),) No. C04-3732 MJJ (BZ)
)
v.)
)
NOVA BIOMEDICAL)
CORPORATION,)
)
Defendant(s).)

BECTON DICKINSON & CO.,) No. C04-3327 MJJ (BZ)
)
Plaintiff(s),)
)
v.)
)
THERASENSE, INC.,)
)
Defendant(s).)

Following a telephonic discovery conference on June
27, 2005, **IT IS HEREBY ORDERED** that the parties are to meet

1 and confer in accordance with the initial discovery order
2 by no later than **Tuesday, July 5, 2005**, to discuss whether
3 their confidentiality designations are in compliance with
4 Foltz v. State Farm Mut. Auto Ins. Co., 331 F.3d 1122 (9th
5 Cir. 2003). See Contratto v. Ethicon, Inc., 227 F.R.D. 304
6 (N.D. Cal. 2005). If the parties are unable to resolve
7 their disputes regarding in-house counsel access to
8 confidentially-designated documents, either side is granted
9 leave to file a motion by **September 20, 2005**. Any
10 opposition must be filed by **August 3, 2005**. Any reply must
11 be filed by **August 10, 2005**. The Court will then schedule
12 a hearing if it concludes one is necessary.

13 Dated: June 28, 2005

14 /s/ Bernard Zimmerman

Bernard Zimmerman

United States Magistrate Judge

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